

REZONE SYRACUSE

ZONING ORDINANCE

Administrative Manual

Draft March 2023



Note on the ReZone Syracuse Administrative Manual

The purpose of the Administrative Manual is to serve as a “users guide” for the ReZone Syracuse zoning ordinance. This version is a draft document that will be further developed and completed after the adoption of the ReZone Syracuse zoning ordinance.

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ORGANIZATION OF THIS MANUAL

Executive Summary

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Where you'll find general background information, including the purpose of the Administrative Manual and a brief overview of zoning and land use regulations.

Overview of Zoning and Land Use Regulations	6
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Summary of Development Review Procedures	10
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What's New in the Ordinance

Page 12-14

Take a look at the new material in the Ordinance, including a summary of the new sections, standards, and incentives.

Overview of New Ordinance Sections and Standards	12
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Review and Decision-Making Bodies

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Get to know the six review and decision-making bodies that make land use decisions at various levels in the City.

Common Council	15
City Planning Commission	15
Board of Zoning Appeals	15
Syracuse Landmark Preservation Board	16
Onondaga County Planning Board	16
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Common Review Procedures

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The procedures that apply to most applications, including pre-application staff conferences, application submission and processing, staff review and action, scheduling and notice for public hearings.

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Development Reviews and Procedures

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Describes the procedure for each type of application, including the purpose of the application; whether the application is required or allowed; and references to application schedules, forms, and fees.

Flowcharts help to illustrate the key steps in submitting and reviewing the application.

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Flexibility and Relief Procedures

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This section details the procedures that allow for additional flexibility and relief in the land development process like variance, adjustments, and appeal of administrative decision.

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Historic Preservation Procedures

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Describes the purpose and procedures that apply specifically to historic preservation applications.

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This sections details key development considerations pertaining to mixed income development uses, bicycle amenities, and tree plantings to help guide applicants through City requirements in these specific areas.

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Tree Planting 51

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The Appendices include a fee schedule, points of contact for the various application types, application forms and instructions, and other related documents like the Secretary of the Interior’s standards for rehabilitation of historic properties and the plant species policy.

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EXECUTIVE SUMMARY



OVERVIEW OF ZONING AND LAND USE REGULATIONS

What is the Zoning Ordinance?

The City of Syracuse's Zoning Ordinance (referred to here as "Ordinance") contains the city's zoning. Zoning regulations govern the use and development of land and structures.



ZONING DISTRICTS & USES

The Ordinance contains a lineup of **zoning districts that align with the City's Comprehensive Plan**. The zoning districts in Syracuse accommodate a wide range and mixture of housing types, commercial and mixed-use development, institutional uses, and recreational opportunities.



DEVELOPMENT STANDARDS

The Ordinance establishes substantive **standards that determine the size, scale, and quality of all development projects** in Syracuse. These may include standards that are specific to each zoning district (such as building setbacks and building height), and standards that apply generally to all of Syracuse (such as off-street parking and landscaping requirements).



ADMINISTRATION & PROCEDURES

The Ordinance also includes **procedural requirements for the submission, review, and decision of applications** and provisions for enforcing the Ordinance. This Administrative Manual provides supporting details to help ensure consistent administration and enforcement of these procedural requirements.

What Other Regulations May Apply to My Project?

In addition to the regulations in the Ordinance, county, state, and federal requirements may apply to development activities. Some of these regulations are referenced in the Ordinance.

OTHER FEDERAL REGULATIONS

The United States Constitution guarantees certain basic rights of citizens that affect local land use policy including the First Amendment rights to peaceably assemble, freedom of expression, and the free exercise of religion.

- The **Americans with Disabilities Act (ADA)** is a federal law that recognizes and protects the rights of persons with disabilities to full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation.
- The **Religious Land Use and Institutionalized Persons Act (RLUIP)** protects religious institutions from unduly burdensome or discriminatory land use policies. RLUIPA prohibits land use and zoning restrictions that result in a “substantial burden” on religious exercise absent a “compelling interest.”
- The **Federal Highway Beautification Act of 1965**, enacted to promote scenic development and road beautification of the Federal-aid highway systems, requires that the State control off-premise signs

visible from areas adjacent to primary highways, highways on the National Highway System, and Interstate Highways.

- The **Telecommunications Act of 1996** affects the location and regulation of wireless telecommunication facilities including towers and antenna.
- The **National Historical Preservation Act** is a federal law that provides the legal framework and basis for incentives, including tax incentives, for the protection of the nation’s historically significant buildings, sites, landscapes and archaeology. The Secretary of the Interior is authorized to expand and maintain the National Register of Historic Places.
- Several Federal Environmental regulations may impact land use projects including the **Clean Air Act, the Clean Water Act, The National Environmental Policy Act, and the Endangered Species Act.**
- The **National Pollutant Discharge Elimination System (NPDES)**, established in 1972 by the Clean Water Act, is a program

administered by the Environmental Protection Agency (EPA) intended to limit pollution on the nation’s watersheds caused by runoff, including storm water runoff from construction sites and other point sources of pollution. The New York State Department of Environmental Conservation (DEC) has received delegation from EPA to carry out administration and enforcement aspects of the NPDES program, through the State Pollutant Discharge Elimination System (SPDES).

- The **Fair Housing Amendments Act (FHAA)** is an amendment to the Civil Rights Act of 1968. The FHAA prohibits discrimination in housing sales, rentals or financing on the basis of Race, Color, National Origin, Religion, Sex, Familial Status, Disability. Enforcement of the Fair Housing Act is delegated to the Department of Housing and Urban Development (HUD). HUD’s mission is to promote the development of strong, sustainable, inclusive communities and quality affordable housing in communities throughout the United States.

OTHER STATE REGULATIONS

- The **New York’s State Environmental Quality Review Act (SEQR)** requires that all state and local government agencies consider the potential environmental impacts, equally with social and economic factors, during review of any action that they have the authority and discretion to approve, fund or directly undertake. This requirement may require the completion of an Environmental Impact Statement, when this occurs the agency must

balance the environmental impacts of an action with social and economic factors of the action during the decision-making process.

- The **New York State Department of Environmental Conservation (NYSDEC)** is the state’s agency established to conserve, improve, and protect New York’s natural resources and environment and to prevent, abate, and control water, land, and air pollution, in order to enhance the health, safety, and

welfare of the people of the state and their overall economic and social well-being. NYSDEC regulations are compiled in Title 6 of the New York Codes, Rules and Regulations (NYCRR).

- Regulations housed under Title 6 of the NYCRR include **Environmental Remediation Programs** such as the Brownfield Cleanup Program (BCP) which encourages private-sector cleanups of brownfields, a real property where a contaminant is

present at levels exceeding the soil cleanup objectives or other environmental standards, and to promote their redevelopment as a means to revitalize economically stressed communities.

- **New York State's Freedom of Information Law (FOIL)** recognizes that public access to the decision-making process is critical to a democratic society and establishes a

broad standard of disclosure on government agencies.

- **New York State's Open Meetings Law (OML)** recognizes that the right of citizens to observe the decision-making processes is essential to a democratic society and provides the public with a right of access to the public meetings.

- **The New York State Fire Prevention and Building Code** sets minimum standards for both fire prevention and building construction to be enforced for the protection of all New Yorkers. The Division of Building Standards and Codes (BSC) administers the mandatory statewide Uniform Fire Prevention and Building Code (Uniform Code) and State Energy Conservation Construction Code (Energy Code).

OTHER LOCAL REGULATIONS

- The **Charter of the City of Syracuse** is the legal document that defines the powers, functions, and procedures of the City's government.
- The **Syracuse Property Conservation Code (SPCC)** provides basic and uniform standards regarding the occupancy and maintenance of all properties within the City of Syracuse and the responsibilities of every person. The SPCC requires that proprietors obtain a Certificate of Use for the operation or maintenance of a business within the City of Syracuse. Any business operating without a valid Certificate of Use is considered "unlawful" and may be subject to immediate closure by the Division of Code Enforcement.
- The **City's Lead Ordinance** requires that any deteriorated lead-based paint on the interior and exterior of pre-1978 residential structures and on the exterior of pre-1978 nonresidential structures to be identified and correctly addressed to protect the health of the public.
- The **City's Noise Control Ordinance** establishes provisions and prohibitions to prevent excessive, unnecessary, or unusually loud noise for the purpose of protecting public health.

THE OFFICE OF ZONING ADMINISTRATION

The City of Syracuse Office of Zoning Administration provides services, assistance, and advice to various governmental departments and agencies, the general public, attorneys, appraisers, engineers, architects, and other design professionals.

The Office of Zoning Administration provides staff to the Syracuse Planning Commission and the Syracuse Board of Zoning Appeals. The City Planning Commission, Board of Zoning Appeals, Syracuse Landmark Preservation Board, and Zoning Administrator review proposals and render zoning decisions.

Typically, all commercial construction and renovation projects require some form of zoning review. Certain residential projects may rise to that level as well. The review depends on the use of the property and any alterations that may be involved with the project, or previous cases that have affected the property. Residential zoning districts permit less intense uses, such as a single-unit dwelling, while other zoning districts permit more intense uses such as retail or light industrial establishments. Some reviews involve public hearings that may include a referral to other applicable departments.

Affiliated Departments and Agencies

Depending on the project and review type, zoning applications are sent to the following departments, agencies, and/or private partners for review and comment:

- **Syracuse Common Council**
- **Onondaga County Planning Board**
- **Syracuse Landmark Preservation Board**
- **City of Syracuse Departments including:**
 - **Dept. of Assessment**
 - **Dept. of Engineering**
 - **Dept. of Fire**
 - **Dept. of Neighborhood and Business Development**
 - **Dept. of Parks, Recreation & Youth Programs**
 - **Dept. of Public Works**
 - **Dept. of Water**
 - **Div. of City Planning**
 - **Office of Corporation Counsel**
- **CENTRO**
- **Onondaga County Health Dept.**
- **Utility Providers**

Comments will be sent to the applicant to either mitigate and/or revise their plans to address the concerns raised.

SUMMARY OF DEVELOPMENT REVIEW PROCEDURES

Summary Table of Review Procedures

R = review and comment D = review and decision A = appeal

< > = public hearing required ✓ = required O = optional <<public hearing discretionary>>

Procedure		Section	Notice			Pre-Application Conference	Staff	Syracuse Landmark Preservation Board	Board of Zoning Appeals	City Planning Commission	Common Council
			Published	Written	Posted						
Development Reviews											
Site Plan	Minor	5.4A(3)	O	O	O	✓	D	[3]	<A>		
Review	Major	5.4A(4)	✓	✓	✓	✓	R	[3]		<<D>> [1]	
Special Use Permit		5.4B	✓	✓	✓	✓	R	[3]		<R>	<D>
Sign Review		5.4C				Optional	D	[2]	<A>		
Off-Premise Sign Permit		5.4D	✓	✓	✓	✓	R	[3]		<D> [2]	
Temporary Use Permit		5.4E				Optional	D		<A>		
Street Action		5.4F	✓	✓	✓		R			<R>	<D>
Planned District Plan		5.6B	✓	✓	✓	✓	R	[3]		<R>	D
Planned District Project Plan Review		5.6B				Optional	R	[3]		<<D>>	
Flexibility and Relief											
Variance		5.5A	✓	✓	✓	✓	R		<D>		
Adjustment		5.5B				N/A		Decision-maker is same as associated application.			
Appeal of Administrative Decision		5.5C	✓	✓	✓	N/A	R		<D>		
Ordinance Amendments											
Rezoning (map)		5.6A	✓	✓	✓	✓	R			<R>	<D>
Rezoning (ordinance text amendment)		5.6A	✓				R			<R>	<D>
Rezoning to Planned Development (PD/PI)		5.6B	✓	✓	✓	✓	R			<R>	<D>
Resubdivision							See Ordinance ---				
Historic Preservation Procedures											
Designation of Protected Site or Preservation District		6.3A	✓	✓	✓	✓	R	<R>		<R>	D
Certificate of Appropriateness		6.3B	✓	✓	✓	Optional	R	<D>		<A>	
Demolition of Non-Landmarked Historic Building		6.3C				Optional	R	D		<A>	
Flexibility and Relief (Historic Preservation)											
Economic Hardship Appeal		6.4A	✓	✓	✓	Optional	R	<D>		<A>	
Appeal of Administrative Decision		6.4B	✓	✓	✓	N/A	R	<D>		<A>	

Notes:

- [1] If a major site plan is processed concurrently with a special use permit application, then the City Planning Commission shall hear both applications. In such a scenario, the Common Council would not hear the major site plan application except upon referral by the City Planning Commission.
- [2] Signage on property designated as a Local Protected Site or within a Preservation District must obtain a Zoning review and a Certificate of Appropriateness from the Landmark Preservation Board.
- [3] Review required by the Landmark Preservation Board if property is on the City's Historic Properties List.

THE PUBLIC'S ROLE

Zoning decisions have affected land use and development in communities for decades. New development can affect things like site layout, public improvements, streetscape, and the design of new buildings. This is why public involvement is so important. The public is encouraged to participate in public meetings on zoning matters to learn about what is being proposed, provide information to the applicant and board members, and to actively participate in decision-making in the community. This section will discuss how the public can participate.



RECEIVE NOTIFICATION

Depending on the type of zoning review, as part of the Office of Zoning Administration's public notice procedures, individuals on nearby properties will receive notification of the action. The Office of Zoning Administration also maintains an active list of interested parties, and community members that receive email notifications of all zoning public notices. The City also requires applicants to post public notification on sites that require public hearings.



STAY INFORMED

All zoning public hearings are listed on the City's website. In addition, zoning applications that require hearings are available for public view on the Zoning Department's web page. Members of the community can track projects, attend public hearings, and provide comments on projects. For more information, visit <https://www.syr.gov/Departments/Zoning>.



PARTICIPATE IN PUBLIC HEARINGS

Public meetings promote government transparency by providing the public with direct access to the decision-making process. Additionally, public hearings provide an opportunity for diverse groups of stakeholders to be heard during the decision-making process. These meetings are held to engage a wide audience to share information and facilitate discussion about zoning applications that affect land use and development in the City. They can be used to increase awareness of a proposal and can be a starting point for community discussion. The public has a variety of ways they may participate in these hearings, including submitting comments regarding pending applications in writing, tuning into live-stream or online public meetings, or attending public hearings to provide comments in person.

WHAT'S NEW IN THE ORDINANCE?

Key Considerations in Regulating Development Quality

- Staff resource for review including staff assessment
- Point on the regulatory spectrum (light touch vs more detailed approach)
- Opportunities for flexibility including Adjustments
- Building and Site Design standards and Enforceability

Affordable Housing Incentives

The Ordinance requires multi-unit residential projects of a certain size to provide a minimum number of affordable dwelling units. The cost of these units is below market rate. The law also includes incentives to encourage more units and offset the costs of these units.

OVERVIEW OF NEW ORDINANCE SECTIONS AND STANDARDS

SECTION 3.2

TABLE OF ALLOWED USES

- Promote user-friendliness of the ordinance
- Modernize list of uses
- Streamline approval requirements

STANDARDS

- Allowed Uses (new uses like Family Support Facility, Community Garden, Microbrewery, etc.)

SECTION 4.3

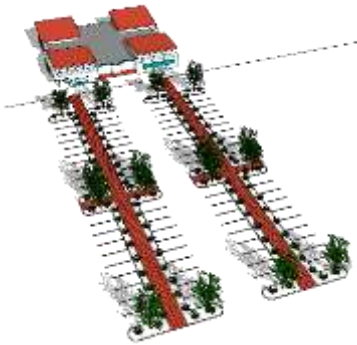
RESIDENTIAL COMPATIBILITY

- Ensure respectful transitions from mixed-use and commercial corridors to residential districts
- Encourage infill and redevelopment but not at the expense of residential neighborhoods

STANDARDS

- Use limitations (storage, service areas, drive-through uses)
- Building organization and design (multi-building development, massing, height)
- Parking location (priority list, connections)
- Lighting (maximum height, minimize glare)
- Operation (outdoor/loading hours)





SECTION 4.4 OFF-STREET PARKING AND LOADING

- Ensure development has sufficient parking to meet demand
- Allow flexibility in how parking is provided
- Encourage multi-modal transportation
- Avoid expanses of unused parking
- Reduce stormwater runoff and improve water quality

STANDARDS

- Parking maximum – 100 percent of required parking
- Parking alternatives
- Shared parking
- On-street parking
- Proximity to transit
- Minimum bicycle parking requirements



SECTION 4.5 LANDSCAPING, BUFFERING AND SCREENING

- Provide better transitions between uses
- Reduce runoff and stabilize soil
- Preserve visual quality

STANDARDS

- Tailored standards based on district type and intensity
- Side and rear lot buffers
- Alternative landscape plans offer added flexibility
- Must be justified by site or development conditions



SECTION 4.6 SITE AND BUILDING DESIGN

- Apply design standards citywide
- Promote high-quality design
- Prevent poor design
- Minimize impacts of large buildings
- Encourage pedestrian-friendly development

STANDARDS

- Building placement and orientation
- Building entrances
- Materials
- Façade colors
- 360-degree architecture
- Roof form
- Vertical articulation
- Mechanical equipment screening
- Design for security
- Underground utilities



SECTION 4.8 SIGNS

- Reduce sign clutter
- Improve enforceability
- Address First Amendment protections
- Current format is not user friendly

STANDARDS

- New sign types (to remove content-based regulations)
- Additional prohibited signs
- Table of sign standards
- Electronic changeable message signs

SECTION 5.4 SITE PLAN REVIEW

- New tool to replace Project Site Review
- Distinguishes between Major (Planning Commission approval required) versus Minor (Staff approval required)

OVERALL APPLICABILITY

- New applicability threshold based on project type (e.g., new development, existing structures, exterior renovations)
- Sliding scale of requirements based on thresholds (e.g., if external additions are less than 10% of existing structure, then limited number of standards apply)

OVERVIEW OF NEW INCENTIVES AND REQUIREMENTS

SECTION 3.3 MIXED INCOME DEVELOPMENT

- [Placeholder – more information will be included in the section upon adoption of the ReZone Syracuse Ordinance.]

STANDARDS

- [Placeholder – more information will be included in the section upon adoption of the ReZone Syracuse Ordinance.]

REVIEW AND DECISION-MAKING BODIES

Ordinance reference: Section 5.7,
Review and Decision-Making Bodies



**COMMON
COUNCIL**



**CITY PLANNING
COMMISSION**



**BOARD OF
ZONING APPEALS**

Which applications do they review?

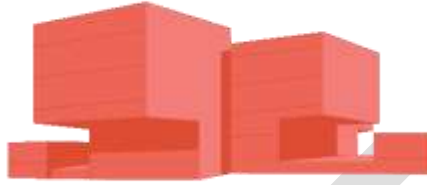
<ul style="list-style-type: none"> • Special Use Permit • Street Actions • Planned Institutional and Development District Plans • Rezoning (Map, Ordinance Text Amendment, and to Planned Development) • Designation of Protected Site or Preservation District 	<ul style="list-style-type: none"> • Major Site Plan Review • Special Use Permit • Off-Premise Sign Permit • Street Actions • Planned Institutional and Development District Plans and Project Plan Review • Rezoning (Map, Ordinance Text Amendment, and to Planned Development) • Designation of Protected Site or Preservation District • Appeals of Certificate of Appropriateness and Demolition of Non-Landmarked Historic Building • Economic Hardship Appeal (Preservation) 	<ul style="list-style-type: none"> • Use and Area Variance • Appeal of Administrative Decision
--	--	--

What other responsibilities do they have that may affect land use?

<ul style="list-style-type: none"> • Adopts or amends provisions in the Zoning Ordinance and the Zoning Map 	<ul style="list-style-type: none"> • Prepares the comprehensive plan, Zoning Ordinance, and Zoning Map • Administers the Ordinance • Makes recommendations to the Common Council on zoning decisions 	<ul style="list-style-type: none"> • Decides questions of interpretation in regard to the Ordinance
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**SYRACUSE LANDMARK
PRESERVATION BOARD**



**ONONDAGA
COUNTY PLANNING
BOARD (OCPB)**



**ZONING
ADMINISTRATOR**

Which applications do they review?

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> • Designation of Protected Site or Preservation District • Certificate of Appropriateness • Demolition of Non-Landmarked Historic Building • Economic Hardship Appeal (Preservation) • Appeal of Administrative Decision (Preservation) | <ul style="list-style-type: none"> • Certain proposed actions subject to referral under NYS General Municipal Law §239 l, m, and n | <ul style="list-style-type: none"> • Minor Site Plan Review • Sign Review • Temporary Use Permit |
|---|---|---|

What other responsibilities do they have?

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> • Reviews zoning applications affecting historic properties. • Comments on projects affecting city-owned historic properties | <ul style="list-style-type: none"> • Coordinates review with state and other county agencies | <ul style="list-style-type: none"> • Administers the Ordinance • Advises all other City Departments on Zoning issues • Decides questions of interpretation with the Ordinance • Responds to public zoning inquiries |
|---|---|---|

COMMON REVIEW PROCEDURES

Ordinance reference: Section 5.3,
Common Review Procedures

The Ordinance includes a set of “common review procedures” that generally apply to the submittal and review of most applications. If procedures for specific types of applications do not require a common procedure (e.g., not all applications require a pre-application conference) or modify a common procedure (e.g., different rules for who may submit an application), it is explicitly stated in the Ordinance.

This section of the manual provides summary information for the common review procedures. The summaries in this section emphasize the applicant’s responsibilities. For complete descriptions of the common procedures, please see Section 5.3 in the Ordinance, *Common Review Procedures*.

All the common procedures are illustrated below:



PRE-APPLICATION CONFERENCE

Purpose

The pre-application conference is intended to provide an opportunity for the applicant to meet with City staff to review applicable submittal requirements, identify applicable procedures, and to identify any issues associated with a proposed development.

Requesting the Conference

The applicant must submit a request for a pre-application conference to the Office of Zoning Administration.

Scheduling the Conference

The Office of Zoning Administration will schedule a pre-application conference and notify appropriate staff and the applicant of the time and location of the conference.

Conference Determinations

The pre-application conference provides an opportunity for the applicant to meet with Zoning staff to review submittal requirements, identify applicable procedures, and to identify any issues associated with the proposed development.

Effect of the Conference

Any information or discussions held at the pre-application conference are for guidance purposes only and are not binding on the Office of Zoning Administration or the applicant. Discussions of potential conditions to mitigate impacts do not reflect actions by the decision-making body until and unless a decision-making body takes formal action.

When a Pre-Application Conference Is Required

A pre-application conference is required for:

- Minor and Major Site Plan Review
- Special Use Permit
- Off-Premise Sign Permit
- Planned District Plan
- Variance
- Rezoning (map)
- Rezoning to Planned Development (PD/PI)
- Designation of Protected Site or Preservation District

A pre-application conference is optional but highly recommended for all other application types.

Required Information

At least five days prior to the scheduled pre-application conference, the applicant must submit:

- A scaled property survey(s) showing current conditions to include all existing natural features;
- Photographs and/or aerial imagery of the site;
- Proof of ownership such as, but not limited to, a deed, an executed lease, a contract for purchase, or a signed letter from the landowner giving permission to pursue approval;
- A written description of the proposed project;
- Conceptual drawings showing the location, layout, and primary elements of the proposal;
- Specific uses, location of uses, and densities proposed and their relation to nearby buildings, streets, rights-of-way, easements and other nearby pertinent features;
- Proposed construction phasing (if applicable); and
- A draft application (optional).

APPLICATION SUBMITTAL AND PROCESSING

Who Can Submit an Application?

Unless specifically stated otherwise in the Ordinance, the owner or legal representative of the property where development is proposed or a person authorized to submit the application on behalf of the owner (provided the application is accompanied by a letter or document signed by the owner authorizing the submission) may submit an application.

If there are multiple owners, or other persons authorized to submit the application, all such property owners must sign the application or a letter or document consenting to the application.

Fees for the Application

Application fees are non-refundable and must be paid at the time of submittal according to the type of application. Fees are established by the Common Council and may be reviewed annually. All fees required by this Ordinance must be paid to and collected by the City of Syracuse Commissioner of Finance. In the event it is necessary to use the services of a consultant not on staff, the City must require funds from the applicant to cover these additional services.

Submittal and Review Schedule

Each decision-making body has a website for submittal and review schedules, meeting materials, and contact information. See Appendix A for website links.

Amending or Withdrawing an Application

After an application has been accepted for review, the applicant may withdraw the application at any time by submitting notice of withdrawal to the Zoning Administrator.

An applicant is not entitled to a refund of application fees for applications that are withdrawn.

Where to Submit an Application?

The application must be submitted to the Office of Zoning Administration:

201 East Washington St., Room 500,
Syracuse, NY 13202
Phone: (315) 448-8640
Fax: (315) 448-8621
Email: Zoning@syr.gov

Required Content for the Application

The application must be submitted on a form established by the Office of Zoning Administration. The applicant bears the burden of ensuring that an application contains sufficient information to demonstrate compliance with application requirements. All of the required submittals must accompany the application or it will be returned and determined incomplete.

Required submittals are listed on the form established by the Office of Zoning Administration. Application forms are included in Appendices B through N.

STAFF AND AGENCY REVIEW

Distribution of the Completed Application

The Office of Zoning Administration will distribute the complete application to appropriate staff and referral agencies for review and comment. Depending on the project and review type, zoning applications are sent to the departments, agencies, and/or private partners identified earlier in this document.

Application Review

Staff and all applicable referral agencies will review and comment on the application. Comments will be provided to the applicant by the Zoning Administrator.

Minor Application Revisions After Staff Review

An applicant may revise an application based upon review comments, or on requesting and receiving permission from an advisory or decision-making body after that body has reviewed, but not yet taken action on, the application.

Revisions must be limited to changes that directly respond to specific requests or suggestions made by staff or the advisory or decision-making body, as long as they constitute only minor additions, deletions, or corrections and do not include significant substantive changes to the development proposed in the application, as determined by the Zoning Administrator.

All other application revisions must be processed as a new application.

Applications Subject to Staff Review

Staff review and assessment will evaluate the degree to which the application complies with Ordinance requirements.

Availability of Staff Assessment

Within a reasonable time period before a meeting or hearing, the Office of Zoning Administration will submit a copy of the staff assessment and agency comments to the applicant and advisory or decision-making body, and will make the case file available for public review.

Applications Subject to Staff Decision

The Zoning Administrator will make a decision based on the review standards applicable to the application type. The decision will be in writing and clearly state reasons for approval or denial.

Simultaneous Processing of Development Applications

Where possible without creating an undue administrative burden on the City's decision-making bodies and staff, different permits and reviews that may be required for the same development project may be considered at the same time in order to expedite the overall review process. Review and decision-making bodies considering applications submitted simultaneously must render unique reports, recommendations, and decisions on each application based on the specific standards applicable to each approval.

Time frames for decisions may depend upon the reviewing board, property history, previous actions, or time limits set forth either by this Ordinance or the State of New York. Therefore, even though the City intends to accommodate simultaneous processing, applicants should note that each of the reviews and approvals set forth have their own timing and review sequence.

SCHEDULE AND NOTICE OF PUBLIC HEARINGS

Schedule

If an application is subject to a public hearing, the Zoning Administrator will schedule a public hearing on a complete application for either a regularly scheduled meeting or special meeting of the appropriate decision-making body.

A public hearing will be scheduled to allow sufficient time to prepare a staff assessment within established time periods.

Each decision-making body has a website for submittal and review schedules, meeting materials, and contact information. See Appendix A for website links.

Public Hearing Notice

RESPONSIBILITY OF PARTY SEEKING HEARING

The Office of Zoning Administration will be responsible for published or mailed notice of the public hearing. The applicant must post notice of the public hearing on the subject property. The applicant must pay all costs for all forms of notice.

TYPES OF NOTICE

Published or mailed notice

Published notice must appear in a newspaper of general circulation in the City at least ten days prior to the scheduled hearing.

Mailed notices must be sent at least five days prior to the scheduled hearing via first class mail to the applicant and all property owners as listed in the records of the Onondaga County tax assessor's office within 400 feet of the subject property, as measured from property boundaries.

Posted notice

The applicant must post at least one sign on the property(ies)/project site at least 10 days prior to the scheduled hearing. The City will provide the required signage. The sign must be clearly visible from the most heavily traveled adjacent street or public right-of-way and must remain on the property until a decision is rendered.

CERTIFICATION OF NOTICE

The applicant must provide certification and photographic evidence that proper notice has been posted. The format of this notice must be established by the Zoning Administrator. The applicant must submit the certification to the Office of Zoning Administration at least ten days prior to the scheduled public hearing.

TEMPLATES OF PUBLISHED, WRITTEN AND POSTED NOTICE

See Appendices O, P, and Q for templates of published, written, and posted notice.

Which Applications Require a Public Hearing

The following applications require a public hearing:

- Special use permit (for both review by the City Planning Commission and decision by the Common Council)
- Off premise sign permit
- Street action (for both review by the City Planning Commission and decision by the Common Council)
- Planned District Plan
- Variance
- Appeal of Administrative Decision, including:
 - Minor site plan review
 - Sign review
 - Temporary use permit
- Rezoning (map, ordinance text amendment, and rezoning to Planned Development (PD/PI)) (for both review by the City Planning Commission and decision by the Common Council)
- Designation of Protected Site or Preservation District (for both review by the Landmark Preservation Board and City Planning Commission)
- Certificate of Appropriateness
- Economic Hardship Appeal
- Appeal of Certificate of Appropriateness
- Appeal of Demolition of Non-Landmarked Historic Building
- Appeal of Administrative Decision (Preservation)

Posted notice must:

- Identify the application type; and
- Identify a website and telephone number for additional information.



STATE ENVIRONMENTAL QUALITY REVIEW ACT COMPLIANCE

Before an application is deemed complete and ready for a decision by the Board of Zoning Appeals, City Planning Commission, Common Council, and/or Zoning Administrator, compliance with the New York State Environmental Quality Review Act ("SEQRA") is required.

A party seeking approval must submit an environmental assessment form with an application and must provide any additional requested information to enable a thorough environmental review of the application in accordance with SEQRA.

ENVIRONMENTAL ASSESSMENTS

Environmental assessments are standardized through use of the Environmental Assessment Form, which can be found on the New York State Department of Environmental Conservation's website:

<https://www.dec.ny.gov/permits/6191.html>

SEQRA

For additional information on SEQRA compliance see the New York State Department of Environmental Conservation's website for the Environmental Assessment Form Workbooks:

<https://www.dec.ny.gov/permits/90125.html>

REVIEW AND DECISION

Who Decides?

Many decisions do not require a public hearing like those that only require staff approval. However, some projects require a recommendation or decision by the Planning Commission or Common Council and those do require a public hearing. If the review does require a public hearing, the applicable decision-making body must consider the application, relevant support materials, staff assessment, and any evidence and public comments from the public hearing (if required).

If the review involves a public hearing, the recommendation or decision must:

- Be in writing;
- Include findings of fact based on competent, material, and substantial evidence presented at the hearing;
- Reflect the determination of contested facts; and
- State how the findings support compliance with applicable review standards.

The applicable review body must clearly state the factors considered in making its recommendation or decision, as well as the basis or rationale for the recommendation or decision.

Unless otherwise provided in the Ordinance, any representations made by the property owner or their agent, or in submittal materials or during public hearings, will be binding as conditions of approval.

Improvements Agreement

As a condition of final approval, the City may require the applicant to enter into an improvements agreement in a form acceptable to the City Corporation Counsel and the Common Council that provides security to the City to complete certain public improvements within a reasonable time period.

The City will not issue certificates of occupancy for any buildings or units until all public improvements identified on the applicable site plan and/or building permit have been completed or such an agreement has been entered into by the applicant.

Final Plans

Within 30 days of approval, the applicant must submit to the Office of Zoning Administration a final version of any plans approved showing any conditions, restrictions, or other modifications agreed to or required during final approval. Failure to do so will nullify the approval. The applicant may request one, 30-day extension when good cause is shown.

POST-DECISION ACTIONS AND LIMITATIONS

Notice of Decision

After a decision is made on an application, or final adoption of the resolution, the Office of Zoning Administration must provide written notification of the decision via hand delivery, electronic mail, or first-class mail to the property owner and/or applicable parties listed on the application.

Appeal of Decision

A party aggrieved by an administrative decision related to the Ordinance may appeal the decision to the Board of Zoning Appeals in accordance with the procedures and standards in subsection 5.5, Appeal of Administrative Decision.

Expiration of Approval

An application approval is valid as authorization for the approved activity until it expires, as stated in the application.

The Zoning Administrator may grant extensions of the approval expiration time period for up to one year, following a written request for such extension prior to the expiration date.

The request must include reasonable cause for an extension. Further extensions must be subject to the approval of the decision-making body for the original application.

A change in ownership of the land will not affect the established expiration time period of an approval.

Modification or Amendment of Approval

Unless otherwise provided in this Ordinance, any modification of an approved plan, permit, or condition of approval following the decision must require a new application that is submitted and reviewed in accordance with the full procedure and fee requirements applicable to the particular type of the original application.

Limitation on Subsequent Similar Applications

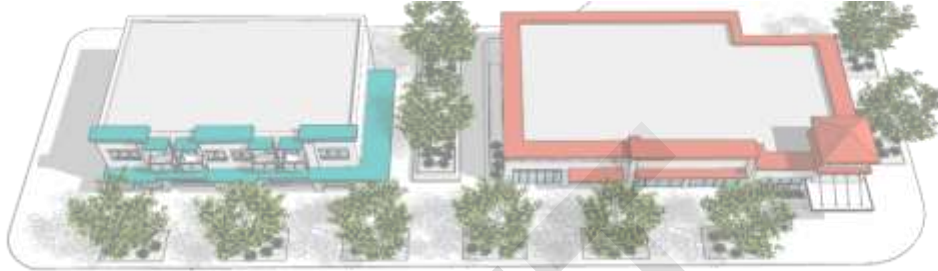
Following denial of an application, the decision-making body must not decide on applications that are the same or substantially similar, as determined by the Zoning Administrator, within one year of the previous denial. This waiting period may be waived by the decision-making body provided that there is a unanimous vote by the body that heard the original request and one of the following conditions is met:

- There is a substantial change to facts, evidence, or conditions with respect to the neighborhood, and/or new information is available relevant to the issues or facts considered during the previous application review; or
- The new application is materially different from the previous application.

The above does not apply if the board hearing the original request denied the application without prejudice, in which case an applicant may resubmit at any time with a new application that must address the reasons for denial.

DEVELOPMENT REVIEWS AND PROCEDURES

Ordinance reference: Section 5.4,
Development Reviews and Procedures



SITE PLAN REVIEW

Description

The Site Plan Review procedure ensures compliance with the Ordinance and mitigation of potential adverse impacts. Site Plan Review helps answer important questions like is the proposed amount of parking and impervious surface acceptable for the use? Or are the landscaping requirements appropriate for the site? The Site Plan Review considers these important questions on a site-by-site basis, taking into account the local characteristics of the site, and determines what is appropriate for the individual site.

When Required

SITE PLAN APPROVAL IS REQUIRED FOR:

- All exterior renovations, alterations, or additions and/or reorientation of existing buildings; and/or
- All new construction (i.e., site preparation for and construction of entirely new structures, whether or not the site was previously occupied); and/or
- Construction of, or alterations to, parking areas and/or parking lots that contain six or more parking spaces; and/or
- Demolition of buildings or portions thereof and/or reclamation of sites; and/or
- Projects (other than demolitions) on properties:
 - Identified on the City's inventory of historic properties, and/or
 - By the New York State Office of Parks, Recreation, and Historic Preservation (SHPO) as:
 - Located in a National Register District,
 - Individually listed on the National Register of Historic Places, or
 - Eligible for inclusion on the National Register of Historic Places.
- Changes from one use to another use that requires Site Plan Review.

When Not Required

SITE PLAN APPROVAL IS NOT REQUIRED FOR:

- A change to a property without a change in occupancy that does not involve or require other development (such as new or expanded structures, additional or modified parking, changes to the site, or any other change that would alter the performance or appear of the site);
- Construction of or exterior alteration to a residential property with up to three dwelling units, and structures accessory to such dwellings;
- Conversion of existing building area into up to three new dwelling units without changing the existing building footprint or building exterior, or increasing the building area, parking area, or height;
- Interior maintenance and/or improvements that do not increase gross floor area or building height, increase the density or intensity of use, change the occupancy, or affect other development standards (such as parking or landscaping requirements);
- Exterior painting, siding replacement, roof repairs or replacement;
- Maintenance of approved parking lots that are compliant with the development standards in the Ordinance;
- Projects within an approved Planned Institutional or Planned Development District unless otherwise required in those districts;
- The City or County demolition of any building(s) or structure(s) that have been determined by the Director of the Division of Code Enforcement and/or Chief of Fire to constitute an immediate danger or hazard to public health, safety, or welfare; and
- Projects located in and containing one or more uses allowed in the "Light Industry and Employment" Zoning District if:
 - The project meets the following criteria:
 - The project area occupies at least five contiguous acres, whether in one or multiple parcels;
 - The boundary does not directly abut a Residential zoning district; and
 - The boundary does not directly abut a municipal boundary.
 - Or, the project is an existing project that has obtained construction financing totaling at least \$50 million as of the effective date of the Ordinance.

Site Plan Review Types

Site Plan Review is either major or minor as set forth in the table below:

Site Plan Review Thresholds

Type of Development	Minor Site Plan Zoning Administrator decision	Major Site Plan City Planning Commission decision
Residential	Establishment of 4 to 7 new dwelling units	Development of 8 or more new dwelling units
Nonresidential	Development less than 10,000 square feet gross floor area	Development of at least 10,000 square feet gross floor area
Mixed-Use	Establishment of 4 to 7 dwelling units and less than 15,000 square feet gross floor area	Development of 8 or more dwelling units and/or at least 15,000 square feet gross floor area
MX-4 and MX-5 districts	All projects*	None*

Notes:

- Notwithstanding the thresholds above, any development requiring a street action, including but not limited to the dedication of land to the City or abandonment of land by the City, must be processed as a major site plan.
- *Unless referred to the City Planning Commission

Procedure

Summary of Minor Site Plan Procedure

1	Pre-Application Conference (5.3B)	<i>Optional</i>	
2	Application Submittal and Processing (5.3C)	<i>Submit to Office of Zoning Administration</i>	Submittal and Internal Review
3	Staff and Agency Review (5.3D)	<i>Review and Decision by Office of Zoning Administration</i>	
4	Schedule and Notice of Public Hearings (5.3E)	<i>Public hearings are optional</i>	Hearings and Decision-Making
5	Review and Decision (5.3G)	<i>In writing from Zoning Administrator</i>	
6	Post-Decision Actions and Limitations (5.3H)	<i>Site plan expires after one year (unless extended)</i>	

Summary of Major Site Plan Procedure

1	Pre-Application Conference (5.3B)	<i>Required</i>	
2	Application Submittal and Processing (5.3C)	<i>Submit to Office of Zoning Administration</i>	Submittal and Internal Review
3	Staff and Agency Review (5.3D)	<i>Review by Office of Zoning Administration</i>	
4	Schedule and Notice of Public Hearings (5.3E)	<i>Public hearing optional for City Planning Commission</i>	Hearings and Decision-Making
5	Review and Decision (5.3G)	<i>Review and decision by City Planning Commission</i>	
6	Post-Decision Actions and Limitations (5.3H)	<i>Site plan expires after one year (unless extended)</i>	

Application Information

See the Site Plan Review application in Appendix B of this manual.



SPECIAL USE PERMIT

Description

The Special Use permit procedure allows the City to evaluate proposed development and land uses that have unique or varying operating characteristics or unusual features. This procedure helps to ensure compatibility with surrounding areas and that adequate mitigation is provided for anticipated adverse impacts.

When Required

A Special Use permit is required for certain uses that may impact the surrounding area like for a bed and breakfast in the R2 District. A complete list of the uses that require a Special Use Permit can be found in the Ordinance in Table 3.1:

Allowed Uses.

Procedure

Summary of Special Use Permit Procedure

1	Pre-Application Conference (5.3B)	<i>Required</i>	
2	Application Submittal and Processing (5.3C)	<i>Submit to Office of Zoning Administration</i>	Submittal and Internal Review
3	Staff and Agency Review (5.3D)	<i>Review by Office of Zoning Administration</i>	
4	Schedule and Notice of Public Hearings (5.3E)	<i>Public hearing required for Common Council</i>	Hearings and Decision-Making
5	Review and Decision (5.3G)	<i>Review by City Planning Commission; Decision by Common Council</i>	
6	Post-Decision Actions and Limitations (5.3H)	<i>Special use permits run with land</i>	

Application Information

See the Special Use Permit application in Appendix C of this manual.



ZONING SIGN REVIEW

Description

Whether you are replacing a sign for your business or started a new business and need a sign, it is important to understand that the Ordinance has a specific definition for what a sign is and how many and where you can put one up. These requirements help create a pleasant environment for your business and customers.

When Required

A sign review is required prior to the performance of any sign work with the exception of any official government sign, signs located inside buildings that are not visible from outside the building, sign maintenance, and sign copy changes. Off-premise signs are not subject to the following sign review procedures as they are subject to a separate off-premise sign permit.

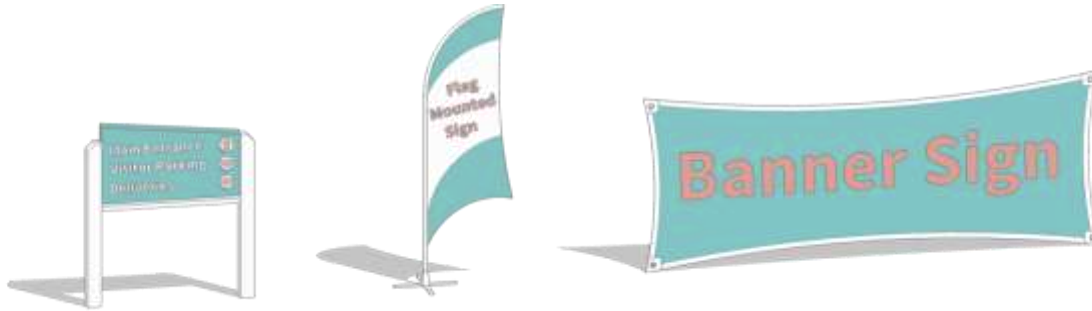
Procedure

Summary of Zoning Sign Review Procedure

1	Pre-Application Conference (5.3B)	<i>Optional</i>	
2	Application Submittal and Processing (5.3C)	<i>Submit to Office of Zoning Administration</i>	Submittal and Internal Review
3	Staff and Agency Review (5.3D)	<i>Review by Office of Zoning Administration</i>	
	Schedule and Notice of Public Hearings (5.3E)	<i>Does not apply</i>	Hearings and Decision-Making
5	Review and Decision (5.3G)	<i>Office of Zoning Administration</i>	
6	Post-Decision Actions and Limitations (5.3H)	<i>Sign Permit – Building Official</i>	

Application Information

See the Zoning Sign Review application in Appendix D of this manual.



OFF-PREMISE SIGN PERMITS

Description

The Off-Premise Sign Permit procedure allows the City to evaluate prospective off-premise signs to ensure that the sign being proposed is highly functional and easily understandable while aligning with the character of an area.

When Required

A public hearing by the City Planning Commission is required prior to the performance of any off-premise sign work (including the erection, placement, replacement, removal, relocation, repair, alteration, modification, or establishment of a sign or its structural appurtenances) with the exception of off-premise sign maintenance and off-premise sign copy changes for previously approved signs.

Procedure

Summary of Off-Premise Sign Permit Procedure

1	Pre-Application Conference (5.3B)	<i>Required</i>	
2	Application Submittal and Processing (5.3C)	<i>Submit to Office of Zoning Administration</i>	Submittal and Internal Review
3	Staff and Agency Review (5.3D)	<i>Review by Office of Zoning Administration</i>	
4	Schedule and Notice of Public Hearings (5.3E)	<i>Public hearing required for Planning Commission</i>	Hearings and Decision-Making
5	Review and Decision (5.3G)	<i>Review and decision by Planning Commission</i>	
6	Post-Decision Actions and Limitations (5.3H)	<i>Time Allowance</i>	

Application Information

See the Off-Premise Sign Permit application in Appendix E of this manual.



TEMPORARY USE PERMIT

Description

The Temporary Use procedure allows the City to evaluate prospective uses and/or structures of limited duration, like a mobile vendor cart, to ensure compliance with applicable standards of the Ordinance, including Section 3.5 of the Ordinance, *Temporary Uses and Structures*.

When Required

A Temporary Use permit is required before establishing, constructing, or installing any temporary use or structure designated as requiring a temporary use permit in Section 3.5 of the Ordinance, *Temporary Uses and Structures*.

Procedure

Summary of Temporary Use Permit Procedure

1	Pre-Application Conference (5.3B)	<i>Optional</i>	
2	Application Submittal and Processing (5.3C)	<i>Submit to Office of Zoning Administration</i>	Submittal and Internal Review
3	Staff and Agency Review (5.3D)	<i>Review and Decision by Office of Zoning Administration</i>	
X	Schedule and Notice of Public Hearings (5.3E)	<i>Does not apply</i>	Hearings and Decision-Making
X	Review and Decision (5.3G)	<i>Does not apply</i>	
6	Post-Decision Actions and Limitations (5.3H)	<i>Temporary use permits valid based on permit terms</i>	

Application Information

See the Temporary Use Permit Application in Appendix F of this manual.



STREET ACTION

Description

The City Planning Commission may, subject to the approval of the Common Council, designate streets, alleys, or other public places for future widening or altering and show those changes on the City's Zoning Map.

Procedure

After designation and approval, no building or other structure may be erected within the proposed lines of such street, alley, or public place as widened or altered.

FLEXIBILITY AND RELIEF PROCEDURES

VARIANCE

Description

The Variance procedure allows for some flexibility from the requirements of the Ordinance when strict application of the Ordinance would result in exceptional practical difficulty or undue hardship.

The Board of Zoning Appeals may vary the application of any of the requirements of the Ordinance relating to the use of property or to physical or dimensional requirements so that the spirit of the Ordinance is observed, public safety and welfare secured, and substantial justice served. For more information on the variance procedure and requirements in New York, visit <https://www.syr.gov/Departments/Zoning>.

Procedure

Summary of Variance Procedure

1	Pre-Application Conference (5.3B)	Required	
2	Application Submittal and Processing (5.3C)	Submit to Office of Zoning Administration	Submittal and Internal Review
3	Staff and Agency Review (5.3D)	Review by Office of Zoning Administration	
4	Schedule and Notice of Public Hearings (5.3E)	Public hearing required for Board of Zoning Appeals	Hearings and Decision-Making
5	Review and Decision (5.3G)	Review and decision by Board of Zoning Appeals	
6	Post-Decision Actions and Limitations (5.3H)	Variance expires after one year (unless extension granted)	

Application Information

See the Variance application in Appendix G of this manual.

ADJUSTMENTS

Description

The adjustment procedure is intended to allow minor modifications or deviations from the dimensional or numeric standards of the Ordinance with approval by the Zoning Administrator or applicable review body, or as delegated to the Code Enforcement Officer. Adjustments are intended to provide greater flexibility, when necessary, without requiring a variance. For example, the adjustment procedure may be used if the City determines that an adjustment to the Ordinance is required or advisable to comply with the requirements of the Federal Fair Housing Act. The adjustment procedure is not a waiver of current standards of this Ordinance and must not be used to circumvent the variance procedure.

Application Information

See the Adjustments application in Appendix H of this manual.

Procedure

An application for an adjustment must be submitted and reviewed concurrently with an application for a special use permit and/or site plan approval (minor or major). To assist in evaluation of the adjustment request, the Zoning Administrator or review board may refer the application to applicable city departments for comment.

APPEAL OF ADMINISTRATIVE DECISION (GENERAL)

Description

The general appeal procedure establishes an administrative mechanism for persons claiming to be aggrieved by a decision of the Zoning Administrator or Director of Code Enforcement in administering the Ordinance to appeal that decision. Applicants should note that there is a distinct process for appeals of administrative decisions having to do with historic preservation (see the Historic Preservation Procedures below).

Procedure

Summary of General Appeals Procedure

1	Pre-Application Conference (5.3B)	N/A	
2	Application Submittal and Processing (5.3C)	Submit to Office of Zoning Administration	Submittal and Internal Review
3	Staff and Agency Review (5.3D)	Review by Office of Zoning Administration	
4	Schedule and Notice of Public Hearings (5.3E)	Public hearing required for Board of Zoning Appeals	Hearings and Decision-Making
5	Review and Decision (5.3G)	Review and decision by Board of Zoning Appeals	
	Post-Decision Actions and Limitations (5.3H)	Does not apply	

Application Information

See the Appeal of Administrative Decision application in Appendix I of this manual.

ORDINANCE AMENDMENT PROCEDURES

REZONING (AMENDMENT TO THE OFFICIAL ZONING MAP OR ZONING ORDINANCE)

Description

The purpose of the rezoning procedure is to make amendments to the Official Zoning Map or Zoning Ordinance to reflect changes in public policy, changed conditions, or to advance the welfare of the City. The zoning classification of

any parcel in the City, or the text of the Zoning Ordinance, may be amended using this procedure. The purpose is neither to relieve particular hardships nor to confer special privileges or rights on any person. Rezoning should not be used when a Special Use Permit, Variance, or Adjustment could be used to achieve the same result.

Procedure

Summary of Rezoning Procedure

1	Pre-Application Conference (5.3B)	Required	
2	Petition Submittal and Processing (5.3C)	Submit petition to Zoning Administrator	Submittal and Internal Review
3	Staff and Agency Review (5.3D)	Review by Office of Zoning Administration	
4	Schedule and Notice of Public Hearings (5.3E)	Public hearings required for Common Council	Hearings and Decision-Making
5	Review and Decision (5.3G)	Review by City Planning Commission; decision by Common Council	
6	Post-Decision Actions and Limitations (5.3H)	Map amendment is recorded following approval	

REZONING TO PLANNED DEVELOPMENT OR PLANNED INSTITUTIONAL DISTRICT

Description

The purpose of a planned district rezoning is to allow greater flexibility than the strict application of the Ordinance while providing greater benefit to the City. The boundaries of a zoning district or the zoning classification of any parcel may be

changed to either the Planned Development District or Planned Institutional District, collectively referred to as “planned districts.” The Planned Development District rezoning procedure must not be used when a Special Use Permit, Variance, Adjustment, or Rezoning to an existing base zoning district could achieve the same level of flexibility.

Procedure

Summary of Planned District Rezoning Procedure

1	Pre-Application Conference (5.3B)	Required; Sketch Plan must be submitted for PC review.	
2	Application Submittal and Processing (5.3C)	Submit to Zoning Adm.; District Plan required	Submittal and Internal Review
3	Staff and Agency Review (5.3D)	Review by Zoning Administrator	
4	Schedule and Notice of Public Hearings (5.3E)	Public hearings required for City Planning Commission and Common Council	Hearings and Decision-Making
5	Review and Decision (5.3G)	Review by City Planning Commission; decision by Common Council	
6	Post-Decision Actions and Limitations (5.3H)	Project Plan required for subsequent development	

HISTORIC PRESERVATION PROCEDURES

The review procedures for Historic Preservation are distinct from the general procedures described above. Additional information about historic preservation, like the US Secretary of the Interior's standards for rehabilitation, are included in Appendix R.

PRESERVATION REVIEW

Description

The City has a desire to preserve and protect buildings, structures, sites, landscapes, objects, and districts of historic, architectural, cultural, and/or educational merit. The preservation of these buildings and areas furthers the health, prosperity, and welfare of the people of the City.

When Required

Preservation review is required for designation of protected sites and preservation districts, material changes in appearance to a designated historic property through the submission of a certificate of appropriateness application, and non-landmarked historic properties for which demolition permits have been applied.

Procedure

Overview of Preservation Review Procedures

The table below identifies the applicable steps from the common review procedures that generally apply to the review of preservation.

1	Pre-Application Conference (6.2B)	
2	Application Submittal and Processing (6.2C)	Submittal and Internal Review
3	Staff Review (6.2D)	
4	Schedule and Notice of Public Hearings (6.2E)	Hearings and Decision-Making
5	Review and Decision (6.2F)	
6	Post-Decision Actions and Limitations (6.2G)	

LOCAL PROTECTED SITE AND PRESERVATION DISTRICT

Description

The Landmark Preservation Board evaluates and determines if an individual or group of properties meet the criteria for designation as Protected Sites or as Preservation Districts, respectively.

Procedure

Summary of Local Protected Site and Preservation District Designation Procedure

1	Pre-Application Conference (6.2B)	<i>Required</i>	Submittal and Internal Review
2	Application Submittal and Processing (6.2C)	<i>Office of Zoning Administration</i>	
3	Staff Review (6.2D)	<i>Review by Secretary of the Board</i>	
4	Schedule and Notice of Public Hearings (6.2E)	<i>Public hearing required by Landmark Preservation Board</i>	Hearings and Decision-Making
5	Review and Decision (6.2F)	<i>Recommendation by Landmark Preservation Board; Review by Planning Commission; Decision by Common Council</i>	
6	Post-Decision Actions and Limitations (6.2G)	<i>Secretary of the Board notifies affected property owners of decision.</i>	

Application Information

See the Local Protected and Preservation District application in Appendix J of this manual.

CERTIFICATE OF APPROPRIATENESS

Description

This procedure describes how the Landmark Preservation Board may approve or disapprove of proposals resulting in the material change in appearance to designated historic properties through the submission of a certificate of appropriateness application.

Procedure

Summary of Certificate of Appropriateness Procedure

The table below identifies the applicable steps from the common review procedures that apply to a Certificate of Appropriateness.

1	Pre-Application Conference (6.2B)	Optional	
2	Application Submittal and Processing (6.2C)	Submit to Office of Zoning Administration	Submittal and Internal Review
3	Staff Review (6.2D)	Review by Secretary of the Board	
4	Schedule and Notice of Public Hearings (6.2E)	Public hearing required by Landmark Preservation Board	Hearings and Decision-Making
5	Review and Decision (6.2F)	Review and decision by Landmark Preservation Board	
6	Post-Decision Actions and Limitations (6.2G)	Certificate of appropriateness expires after two years (unless extension granted)	

Application Information

See the Certificate of Appropriateness application in Appendix K of this manual.

Staff Review and Approval

The Ordinance authorizes the Landmark Preservation Board to delegate approval of certain work to the Secretary of the Board. Actions previously authorized by the Board for administrative review and approval of a Certificate of Appropriateness include the following:

- 1) In-kind and conforming replacement or repair projects that involve no material change, including:
 - roof repair or replacement (same color, material, no change in form)
 - exterior painting (same color palette)
 - window repair (Note: window replacement, even if in-kind, will require a Certificate of Appropriateness.)
 - window shutter repair (no change in color, material or placement)
 - repair of front/back/sidewalks and front steps (involving no change in material, location, layout)
 - repaving driveways (no change in material, location or layout)
- 2) The installation of replacement fencing if:
 - the new fencing is in-kind, conforming and involves no change in location
 - involves the removal of non-conforming fencing (such as chain link) and the replacement of that fencing with wooden, board-on-board flat topped fence or wooden picket fence.

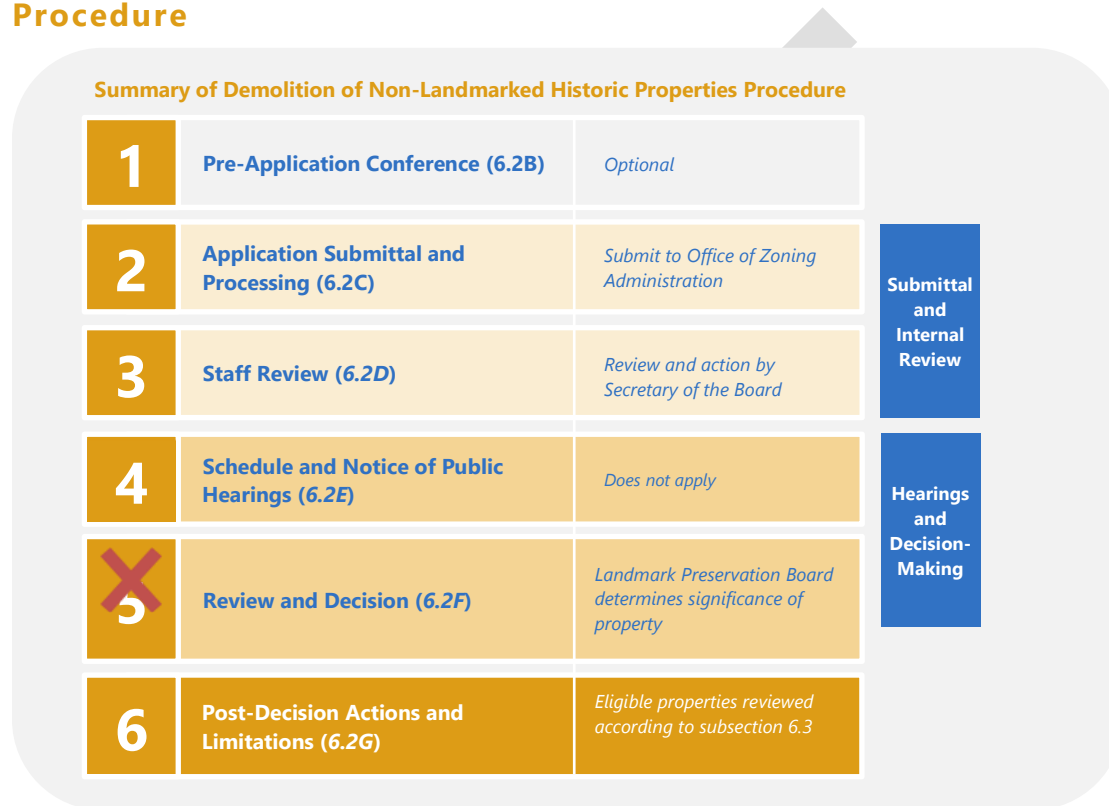
(Note: any fence installation involving change in location or a substantial grade change will require a Certificate of Appropriateness)

DEMOLITION OF NON-LANDMARKED HISTORIC PROPERTIES

Description

This procedure establishes Landmark Preservation Board review procedures for non-landmarked historic properties for which demolition permits have been applied.

Procedure



Application Information

See the Demolition of Non-Landmarked Historic Properties application in Appendix L of this manual.

ECONOMIC HARDSHIP APPEAL

Description

This appeal procedure allows an applicant to appeal a denial of a certificate of appropriateness by applying to the Landmark Preservation Board for relief on the grounds of economic hardship.

Procedure

Summary of Economic Hardship Appeal Procedure

1	Pre-Application Conference (6.2B)	Optional	
2	Application Submittal and Processing (6.2C)	Office of Zoning Administration	Submittal and Internal Review
3	Staff Review (6.3D)	Review by Secretary of the Board	
4	Schedule and Notice of Public Hearings (6.3E)	Public hearing required by Landmark Preservation Board	Hearings and Decision-Making
5	Review and Decision (6.3F)	Review and decision by Landmark Preservation Board	
6	Post-Decision Actions and Limitations (6.3G)	Approvals of hardship appeals expire after one year	

Application Information

See the Economic Hardship Appeal application in Appendix M of this manual.

Additional Information

In addition to completing an application, the Landmark Preservation Board may request additional information to demonstrate the economic hardship. Depending on the nature of the economic hardship claimed, the applicant may be asked to provide some or all of the following information:

- 1) Current level of economic return.
- 2) Amount paid for the property, date of purchase, party from whom purchased, and relationship between the owner of record, the applicant, and person from whom property was purchased.
- 3) Annual gross and net income from the property for the previous three years. itemized operating and maintenance expenses for the previous three years, and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.
- 4) Remaining balance on the mortgage or other financing secured by the property and annual debt-service, if any, during the prior three years.
- 5) Real estate taxes for the previous four years and assessed value of the property according to the two most recent assessed valuations.
- 6) All appraisals obtained within the last two years by the owner or applicant in connection with the purchase, financing, or ownership of the property.
- 7) Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or other.
- 8) Any state or federal income tax returns relating to the property for the last two years.
- 9) Any listing of property for sale or rent, price asked, and offers received, if any, within the previous two years, including testimony and relevant documents regarding:
 - a. any real estate broker or firm engaged to sell or lease the property,
 - b. reasonableness of price or rent sought by the applicant, or
 - c. any advertisements placed for the sale or rent of the property.
- 10) Feasibility of alternative uses for the property that could earn a reasonable economic return.
- 11) Report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any buildings on the property and their suitability for rehabilitation.
- 12) Cost estimates for the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the requirements for a certificate of appropriateness.
- 13) Estimated market value of the property:
 - a. in its current condition;
 - b. after completion of the proposed alteration or demolition; and
 - c. after renovation of the existing property for continued use.
- 14) Expert testimony or opinion on the feasibility of rehabilitation or reuse of the existing structure by an architect, developer, real estate consultant, appraiser, and/or other real estate professional experienced in historic properties and rehabilitation.
- 15) Any evidence of self-created hardship through deliberate neglect or inadequate maintenance of the property.
- 16) Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.


APPEAL OF ADMINISTRATIVE DECISION

Description

This appeal procedure establishes an administrative mechanism for persons claiming to be aggrieved by a decision related to historic preservation made by the Secretary of the Board in administering the Ordinance. Applicants should note that the process described on this page only relates to historic preservation. The general appeal of administrative decision process is described in the Flexibility and Relief procedures above.

Procedure

Summary of Appeals Procedure for Historic Preservation

	Pre-Application Conference (6.2.B)	<i>Not applicable</i>	
2	Application Submittal and Processing (6.2C)	<i>Submit to Office of Zoning Administration</i>	Submittal and Internal Review
3	Staff Review (6.2D)	<i>Review and Action by Secretary of the Board</i>	
4	Schedule and Notice of Public Hearings (6.2E)	<i>Public hearing required for Landmark Preservation Board</i>	Hearings and Decision-Making
5	Review and Decision (6.2F)	<i>Review and decision by Landmark Preservation Board</i>	
6	Post-Decision Actions and Limitations (6.2G)	<i>Secretary of the Board notifies the applicant of the Board's decision</i>	

Application Information

See the Appeal of Administrative Decision application in Appendix N of this manual.



DEVELOPMENT CONSIDERATIONS

MIXED INCOME DEVELOPMENT

Purpose

[Placeholder – more information will be included in the section upon adoption of the ReZone Syracuse Ordinance.]

- Include mixed Income definition
- Include definition of Affordable Dwelling unit

Incentives

[Placeholder – more information will be included in the section upon adoption of the ReZone Syracuse Ordinance.]

- Include standards

Requirements

[Placeholder – more information will be included in the section upon adoption of the ReZone Syracuse Ordinance.]

- Include placeholder for "Area Median Income Table"
- Include placeholder for "Housing Trust Fund"

See Appendix S

BICYCLE PARKING

Purpose

The City recognizes the many benefits of increasing the population of regular cyclists in Syracuse, be it for active transportation or recreational purposes. To help support bicycle users, the City aims to provide citizens with a safe, connected, and appropriately designed bicycle network. Infrastructural support, including bicycle parking accommodation, is key to achieving these goals.

As part of the staff and agency review process (see Common Review Procedures), zoning applications of a certain type may be referred to the Department of Public Works (DPW) for their review and comment. This process provides an opportunity for the City's Transportation Planner and staff to communicate potential concerns and requirements to the project applicant and allow for subsequent mitigations to be made to project plans.

Guidelines for Development

Identifying bicycle parking needs and accommodation on a project-by-project basis is a common part of DPW's review. Applicants designing for and providing bicycle lockers, racks, and similar facilities are encouraged to follow the Association of Pedestrian and Bicycle Professionals' design guidelines for short-term and long-term bike parking installations. See Appendix T for more information.

What Is Required

[Placeholder – more information will be included in the section upon adoption of the ReZone Syracuse Ordinance.]

TREE PLANTING

Purpose

The City recognizes landscaping, buffering, and screening with trees, shrubs, and herbaceous perennials as important components that contribute to Syracuse's sense of place by:

- Providing the environmental benefits of storm water retention; recharging groundwater; retaining soil moisture and preventing erosion; minimizing the urban heat island effect; and mitigating air quality, water pollution, dust, noise, heat, and glare;
- Providing a transition between land uses;
- Providing for the natural visual screening of parking and loading areas;
- Establishing an attractive streetscape that contributes to the character and appearance of the City and creates a safe and pleasant environment for people;
- Improving the appearance of development to protect and enhance public and private investments and property values;
- Conserving water resources by using sustainable design and maintenance techniques and native and/or adapted plant species that are regionally appropriate; and
- Providing screening to minimize the visual impacts of some types of facilities, structures, and equipment.

As part of the staff and agency review process (see Common Review Procedures), zoning applications of a certain type may be referred to the Department of Parks, Recreation and Youth Programs for their review and comment. This process provides an opportunity for the City Arborist and staff to communicate potential concerns and/or requirements to the project applicant and allow for subsequent mitigations to be made to project plans.

Guidelines for Development

The Department of Parks, Recreation and Youth Programs has developed a manual for tree design standards and a list of preferred tree species to help applicants during the project design phase. See Appendices U and V for more information.

What Is Required

[Placeholder – more information will be included in the section upon adoption of the ReZone Syracuse Ordinance.]

APPENDICES

APPENDIX A: INFORMATION FOR REVIEW AND DECISION-MAKING BODIES

Office of Zoning Administration

The Office of Zoning Administration administers the Ordinance and provides staff to the City Planning Commission, Board of Zoning Appeals, Common Council, and Landmark Preservation Board. For contact information, self-service options, and other zoning information, visit <https://www.syr.gov/Departments/Zoning>.

Common Council

Regular meetings are typically held every other Monday afternoon at 1:00 p.m. in the Common Council Chambers on the third floor of Syracuse City Hall at 233 East Washington Street. For the most up-to-date schedule of Common Council meetings see: <https://www.syr.gov/Departments/Common-Council/Common-Council-Meetings-and-Agendas>.

City Planning Commission

Regular meetings are held every three weeks on Monday evenings at 6:00 p.m. in the Common Council Chambers located on the third floor of Syracuse City Hall. For the most up-to-date schedule of Planning Commission meetings see: <https://www.syr.gov/Boards-and-Commissions/CPC>.

Board of Zoning Appeals

Regular meetings are held every three weeks on Thursday afternoons at 1:00 p.m. in the Common Council Chambers located on the third floor of Syracuse City Hall. For the most up-to-date schedule of Board of Zoning Appeals meetings see: <https://www.syr.gov/Boards-and-Commissions/BZA>.

Syracuse Landmark Preservation Board

The Syracuse Landmark Preservation Board meets the first and third Thursday of every month at 8:30 a.m. in Room 215 (iLab) of Syracuse City Hall. For the most up-to-date schedule of Landmark Preservation Board meetings see: <https://www.syr.gov/Boards-and-Commissions/SLPB>.

Onondaga County Planning Board

Regular meetings are held every three weeks on Wednesday mornings at 11:00 a.m. in the Carnegie Building at 335 Montgomery Street. For the most up-to-date schedule of Onondaga County Planning Board meetings see: <http://www.ongov.net/planning/ocpbhome.html>.

APPENDIX B: SITE PLAN REVIEW APPLICATION

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APPENDIX C: SPECIAL USE PERMIT APPLICATION

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APPENDIX D: ZONING SIGN REVIEW APPLICATION

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APPENDIX E: OFF-PREMISE SIGN PERMITS APPLICATION

DRAFT

APPENDIX F: TEMPORARY USE PERMIT APPLICATION

DRAFT

APPENDIX G: VARIANCE APPLICATION

DRAFT

APPENDIX H: ADJUSTMENTS APPLICATION

DRAFT

APPENDIX I: APPEAL OF ADMINISTRATIVE DECISION APPLICATION

DRAFT

APPENDIX J: LOCAL PROTECTED SITE AND PRESERVATION DISTRICT APPLICATION

DRAFT

APPENDIX K: CERTIFICATE OF APPROPRIATENESS APPLICATION

DRAFT

APPENDIX L: DEMOLITION OF NON-LANDMARKED HISTORIC PROPERTIES APPLICATION

DRAFT

APPENDIX M: ECONOMIC HARDSHIP APPEAL APPLICATION

DRAFT

APPENDIX N: APPEAL OF ADMINISTRATIVE DECISION (HISTORIC PRESERVATION) APPLICATION

DRAFT

APPENDIX O: TEMPLATE FOR PUBLISHED NOTICE OF PUBLIC HEARING

DRAFT

APPENDIX P: TEMPLATE FOR WRITTEN NOTICE OF PUBLIC HEARING

DRAFT

APPENDIX Q: TEMPLATE FOR POSTED NOTICE OF PUBLIC HEARING

DRAFT

APPENDIX R: US SECRETARY OF INTERIOR'S STANDARDS FOR REHABILITATION

Standard #1

A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

Standard #2

The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

Standard #3

Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

Standard #4

Changes to a property that have acquired historic significance in their own right will be retained and preserved.

Standard #5

Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Standard #6

Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

Standard #7

Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Standard #8

Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

Standard #9

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old

and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Standard #10

New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

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APPENDIX S: MIXED INCOME DEVELOPMENT REQUIREMENTS

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APPENDIX T: BICYCLE PARKING GUIDELINES

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APPENDIX U: TREE DESIGN STANDARDS MANUAL

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APPENDIX V: RECOMMENDED TREE SPECIES LIST

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